



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 31
11500 W OLYMPIC BLVD
SUITE 600
Los Angeles, CA 90064-1753

Agency Website: www.nlrb.gov
Telephone: (310)235-7351
Fax: (310)235-7420



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February 23, 2022

Adam C. Abrahms, Attorney at Law
Epstein Becker & Green, PC
1925 Century Park East, Suite 500
Los Angeles, CA 90067-2706

Michael Ferrell, Esquire
Epstein Becker & Green, P.C.
1925 Century Park East, Suite 500
Los Angeles, CA 90067

Re: University of Southern California (USC),
Pac-12 Conference, and The National
Collegiate Athletics Association (NCAA),
as joint employers
Case 31-CA-290326

Dear Mr. Abrahms, Mr. Ferrell:

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Attorney AMANDA LAUFER whose telephone number is (310)307-7337. If the agent is not available, you may contact Supervisory Field Attorney JOANNA SILVERMAN whose telephone number is (310)307-7309.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the

confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlr.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink that reads "Mori Rubin". The signature is written in a cursive, flowing style.

MORI RUBIN
Regional Director

Enclosure: Copy of first amended charge

Form NLRB - 501 (3-21)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD**FIRST AMENDED CHARGE AGAINST EMPLOYER****INSTRUCTIONS:**

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
31-CA-290326	

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer #1 (See additional employers in attachment) University of Southern California (USC), Pac-12 Conference, and The National Collegiate Athletics Association (NCAA), as joint employers	b. Tel. No. USC: (213)740-7922 [See Attachment]	c. Cell No.
d. Address (Street, city, state, and ZIP code) USC: 3551 Trousdale Parkway, ADM 352, Los Angeles, CA 90089-5013 [See Attachment]	e. Employer Representative USC: Beong-Soo Kim [See Attachment]	f. Fax No. g. e-mail gcoffice@usc.edu [See Attachment] h. Number of workers employed 113
i. Type of Establishment (factory, mine, wholesaler, etc.) USC - University	j. Identify Principal Product or Service Intercollegiate Athletics – FBS Football, NCAA Division I Men's and Women's Basketball	

1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Within the past six months, the above-named employers have interfered with, restrained, and coerced employees in the exercise of rights protected by Section 7 of the Act by repeatedly misclassifying employees as "student-athlete" nonemployees to circumvent the Act and their rights under the Act.

Within the past six months, the above-named employers have interfered with, restrained, and coerced employees in the exercise of rights protected by Section 7 of the Act by maintaining unlawful rules and policies in its handbook, including restricting communications with third parties, in the media, on social media, related to discipline, etc.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

National College Players Association

4a. Address (Street and number, city, state, and ZIP code) 6709 Borges St. Corona, CA 92880	4b. Tel. No. (951) 898-0985
	4c. Cell No.
	4d. Fax No.
	4e. e-mail rhuma@ncpanow.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.


(signature of representative or person making charge)

Ramogi Huma, Executive Director
(Print/type name and title or office, if any)

Address: 6709 Borges St.
Corona, CA 92880

Date: 2/16/22

Tel. No.
(951)898-0985

Office, if any, Cell No.

Fax No.

e-mail
rhuma@ncpanow.org

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Additional Employer Information**Employer #2**

a. Name of Employer Pac-12 Conference		b. Tel. No. (415) 580-4200
		c. Cell No.
d. Address (Street, city, state, and ZIP code) 360 3rd Street, 3rd Floor San Francisco, CA 94107	e. Employer Representative Maggy Carlyle	f. Fax No.
i. Type of Establishment (factory, mine, wholesaler, etc.) Athletic Conference	j. Identify Principal Product or Service Intercollegiate Athletics – FBS Football, NCAA Division I Men's and Women's Basketball	g. e-mail
		h. Number of Workers Employed 113

Employer #3

a. Name of Employer The National Collegiate Athletics Association (NCAA)		b. Tel. No. (317) 917-6222
		c. Cell No.
d. Address (Street, city, state, and ZIP code) 1802 Alonzo Watford Senior Drive Indianapolis, IN 46202	e. Employer Representative Scott Bearby	f. Fax No.
i. Type of Establishment (factory, mine, wholesaler, etc.) Athletic Association	j. Identify Principal Product or Service Intercollegiate Athletics – FBS Football, NCAA Division I Men's and Women's Basketball	g. e-mail sbearby@ncaa.org
		h. Number of Workers Employed 113

University of Southern California (USC), - 3 -
Pac-12 Conference, and The National
Collegiate Athletics Association (NCAA),
as joint employers
Case 31-CA-290326

February 23, 2022

cc: Beong-Soo Kim
 University of Southern California (USC)
 3551 Trousdale Parkway, ADM 352
 Los Angeles, CA 90089-5013

Maggy Carlyle
Pac-12 Conference
360 3rd Street, 3rd Floor
San Francisco, CA 94107

Scott Bearby
The National Collegiate Athletics
Association (NCAA)
1802 Alonzo Watford Senior Drive
Indianapolis, IN 46202

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**UNIVERSITY OF SOUTHERN CALIFORNIA
(USC)**

Charged Party

and

**NATIONAL COLLEGE PLAYERS
ASSOCIATION**

Charging Party

Case 31-CA-290326

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on February 23, 2022, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Beong-Soo Kim
University of Southern California (USC)
3551 Trousdale Parkway, ADM 352
Los Angeles, CA 90089-5013

Adam C. Abrahms, Attorney at Law
Epstein Becker & Green, PC
1925 Century Park East, Suite 500
Los Angeles, CA 90067-2706

Michael Ferrell, Esquire
Epstein Becker & Green, P.C.
1925 Century Park East, Suite 500
Los Angeles, CA 90067

Maggy Carlyle
Pac-12 Conference
360 3rd Street, 3rd Floor
San Francisco, CA 94107

Scott Bearby
The National Collegiate Athletics Association
(NCAA)
1802 Alonzo Watford Senior Drive
Indianapolis, IN 46202

February 23, 2022

Date

Jorge Romero, Designated Agent of NLRB

Name

/s/ Jorge Romero

Signature



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NATIONAL LABOR RELATIONS BOARD

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February 23, 2022

Ramogi Huma, Executive Director
National College Players Association
6709 Borges St.
Corona, CA 92880

Re: University of Southern California (USC),
Pac-12 Conference, and The National
Collegiate Athletics Association (NCAA),
as joint employers
Case 31-CA-290326

Dear Mr. Huma:

We have docketed the first amended charge that you filed in this case.

Investigator: This charge is being investigated by Field Attorney AMANDA LAUFER whose telephone number is (310)307-7337. If the agent is not available, you may contact Supervisory Field Attorney JOANNA SILVERMAN whose telephone number is (310)307-7309.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

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Very truly yours,

A handwritten signature in black ink that reads "Mori Rubin". The signature is written in a cursive, flowing style.

MORI RUBIN
Regional Director



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NATIONAL LABOR RELATIONS BOARD

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February 23, 2022

Gene Block
University of California, Los Angeles (UCLA)
Box 951405
2147 Murphy Hall
Los Angeles, CA 90095-1405

Maggy Carlyle
Pac-12 Conference
360 3rd Street, 3rd Floor
San Francisco, CA 94107

Scott Bearby
The National Collegiate Athletics Association (NCAA)
1802 Alonzo Watford Senior Drive
Indianapolis, IN 46202

Re: University of California Los Angeles
(UCLA), Pac-12 Conference, and The
National Collegiate Athletics Association
(NCAA), as joint employers
Case 31-CA-290328

Dear Mr. Block, Ms. Carlyle, Mr. Bearby:

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Attorney AMANDA LAUFER whose telephone number is (310)307-7337. If the agent is not available, you may contact Supervisory Field Attorney JOANNA SILVERMAN whose telephone number is (310)307-7309.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

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Very truly yours,

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MORI RUBIN
Regional Director

Enclosure: Copy of first amended charge

Form NLRB - 501 (3-21)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD**FIRST AMENDED CHARGE AGAINST EMPLOYER****INSTRUCTIONS:**

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Case	Date Filed
31-CA-290328	2/22/2022

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer #1 (See additional employers in attachment) University of California, Los Angeles (UCLA), Pac-12 Conference, and The National Collegiate Athletics Association (NCAA), as joint employers		b. Tel. No. UCLA: (310) 825-2151 [See Attachment]
		c. Cell No.
d. Address (Street, city, state, and ZIP code) UCLA: Box 951405, 2147 Murphy Hall Los Angeles, CA 90095-1405 [See Attachment]	e. Employer Representative UCLA: Gene Block [See Attachment]	f. Fax No.
		g. e-mail UCLA: chancellor@ucla.edu [See Attachment]
		h. Number of workers employed 113
i. Type of Establishment (factory, mine, wholesaler, etc.) UCLA – University		j. Identify Principal Product or Service Intercollegiate Athletics - FBS Football, NCAA Division I Men's and Women's Basketball

1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Within the past six months, the above-named employers have interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by repeatedly misclassifying employees as "student-athlete" nonemployees to circumvent the Act and their rights under the Act.

Within the past six months, the above-named employers have interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by maintaining unlawful rules and policies in its handbook, including restricting communications with third parties, in the media, etc.


3. Full name of party filing charge (if labor organization, give full name, including local name and number)

National College Players Association

4a. Address (Street and number, city, state, and ZIP code) 6709 Borges St. Corona, CA 92880	4b. Tel. No. (951) 898-0985
	4c. Cell No.
	4d. Fax No.
	4e. e-mail rhuma@ncpanow.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)**6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

 (signature of representative or person making charge) Address: 6709 Borges St. Corona, CA 92880	Ramogi Huma, Executive Director (Printtype name and title or office, if any)	Tel. No. (951) 898-0985
		Office, if any, Cell No.
		Fax No.
		e-mail rhuma@ncpanow.org

Date:

2/16/22

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

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Additional Employer Information**Employer #2**

a. Name of Employer Pac-12 Conference		b. Tel. No. (415) 580-4200
		c. Cell No.
d. Address (Street, city, state, and ZIP code) 360 3rd Street, 3rd Floor San Francisco, CA 94107	e. Employer Representative Maggy Carlyle	f. Fax No.
i. Type of Establishment (factory, mine, wholesaler, etc.) Athletic Conference	j. Identify Principal Product or Service Intercollegiate Athletics - FBS Football, NCAA Division I Men's and Women's Basketball	g. e-mail
		h. Number of Workers Employed 113

Employer #3

a. Name of Employer The National Collegiate Athletics Association (NCAA)		b. Tel. No. (317) 917-6222
		c. Cell No.
d. Address (Street, city, state, and ZIP code) 1802 Alonzo Watford Senior Drive Indianapolis, IN 46202	e. Employer Representative Scott Bearby	f. Fax No.
i. Type of Establishment (factory, mine, wholesaler, etc.) Athletic Association	j. Identify Principal Product or Service Intercollegiate Athletics - FBS Football, NCAA Division I Men's and Women's Basketball	g. e-mail sbearby@ncaa.org
		h. Number of Workers Employed 113

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**UNIVERSITY OF CALIFORNIA LOS ANGELES
(UCLA), PAC-12 CONFERENCE, AND THE
NATIONAL COLLEGIATE ATHLETICS
ASSOCIATION (NCAA), AS JOINT
EMPLOYERS**

Case 31-CA-290328

Charged Party

and

**NATIONAL COLLEGE PLAYERS
ASSOCIATION**

Charging Party

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

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Gene Block
University of California, Los Angeles
(UCLA)
Box 951405
2147 Murphy Hall
Los Angeles, CA 90095-1405

Maggy Carlyle
Pac-12 Conference
360 3rd Street, 3rd Floor
San Francisco, CA 94107

Scott Bearby
The National Collegiate Athletics Association
(NCAA)
1802 Alonzo Watford Senior Drive
Indianapolis, IN 46202

February 23, 2022

Date

Jorge Romero, Designated Agent of NLRB

Name

/s/ Jorge Romero

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

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February 23, 2022

Ramogi Huma, Executive Director
National College Players Association
6709 Borges St.
Corona, CA 92880

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Very truly yours,

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MORI RUBIN
Regional Director